

Hughes
Hubbard
& Reed

Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, New York 10004-1482
Telephone: +1 (212) 837-6000
Fax: +1 (212) 422-4726
hugheshubbard.com

Marc A. Weinstein
Partner
Direct Dial: +1 (212) 837-6460
Direct Fax: +1 (212) 299-6460
marc.weinstein@hugheshubbard.com

September 20, 2024

BY ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
KaplanNYSDChambers@nysd.uscourts.gov

Re: *In re Customs and Tax Administration of the Kingdom of Denmark
(Skatteforvaltningen) Tax Refund Scheme Litigation, 18-md-2865 (LAK)*

Dear Judge Kaplan:

This letter relates to all Trial One cases. Pursuant to the Court's Orders dated April 1, 2024 (ECF No. 978) and September 6, 2024 (ECF No. 1174), we write on behalf of Plaintiff Skatteforvaltningen, the Customs and Tax Administration of the Kingdom of Denmark ("SKAT"), and the Trial One Defendants (excepting Michael Ben-Jacob).

Attached as Exhibit A is a proposed special verdict form jointly submitted by SKAT and all Trial One Defendants excepting Michael Ben-Jacob. In this proposed form, we have noted in red print any areas of dispute between SKAT and the Defendants. This form also includes proposed language by SKAT addressing its claims against Mr. Ben-Jacob.

We understand that Mr. Ben-Jacob will be filing a separate proposed verdict form, along with a supporting letter brief. To the extent that the Court would like SKAT to respond to Mr. Ben-Jacob's letter brief, we will do so. Given Mr. Ben-Jacob's decision to submit a separate form, we note that SKAT's position is that the final verdict form should be consistent in its formatting and language (*i.e.*, not a combination of the two proposals), so as to avoid unnecessary inconsistencies and confusion for the jurors.

Respectfully submitted,

/s/ Marc A. Weinstein
Marc A. Weinstein

Enclosures

cc: All Trial One counsel of record (via ECF)